



Order Filed on October 20, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY  
COURT  
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Mester & Schwartz, P.C.  
Jason Brett Schwartz, Esquire  
Bar No. 4217  
1917 Brown Street  
Philadelphia, PA 19130  
(267) 909-9036

**In Re:**

**MICHAEL HELLER and MARIA  
HELLER,**

**Debtor**


Case No.: 20-10966-ABA

Judge: Andrew B. Altenburg Jr.

**CONSENT ORDER REIMPOSING STAY AS TO MOTOR VEHICLE  
2018 BMW X2 UTILITY 4D 28I AWD**

The relief set forth on the following pages, number two (2) through four (4) is hereby  
**ORDERED.**

**DATED: October 20, 2020**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtors: Michael Heller and Maria Heller  
Case No.: 20-10966-ABA  
Caption of Order: Consent Order Reimposing Stay as To Personal Property

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1. The 11 U.S.C. § 362(a) Stay as to Financial Services Vehicle Trust, its successors and/or assigns (“Movant”), with respect to the personal property of the Debtors described as a 2018 BMW X2 Utility 4D 28i AWD, V.I.N. WBXYJ5C31JEF70845, in accordance with the agreement of the Debtors and Movant, is hereby modified PROVIDED THAT Debtors comply with the following terms and conditions:

(a) Debtors shall timely make an immediate payment of \$2,408.12 directly to the Movant to cure the post-petition arrears due through October 15, 2020;

(b) The Movant shall file a Verification of Receipt indicating that the funds have been tendered and the 11 U.S.C. § 362(a) Stay shall resume effect upon tender of the payments due under Paragraph (a) subject to the conditions of this Consent Order and;

(c) Debtors will resume making all future regular monthly installment payments of \$481.62 (subject to changes for taxes, insurance costs and late fees, if any) beginning on November 14, 2020; Debtors will timely make each payment in accordance with the terms and conditions of the loan document between Debtors and Movant.

2. Debtors will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtors will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$306.00 for attorney’s fees and costs.

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Debtors: Michael Heller and Maria Heller

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4. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions set forth in Paragraph 1(d), *supra*. If Debtors fails to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtors and counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stays imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted immediate relief from the automatic stay provision of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle.

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Debtors: Michael Heller and Maria Heller  
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6. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

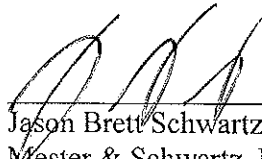
7. Debtors waive the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

**We hereby Consent to the form and entry of the foregoing Order.**



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Lee Martin Perlman, Esquire  
Lee M. Perlman  
1926 Greentree Road, Suite 100  
Cherry Hill, NJ 08003  
Attorney for Debtors



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Jason Brett Schwartz, Esquire  
Mester & Schwartz, P.C.  
1917 Brown Street  
Philadelphia, PA 19130  
Attorney for Financial Services Vehicle Trust